



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,066	06/25/2003	Kohichiroh Macmura	2271/69634	6561

7590 06/04/2007
Ivan S. Kavrukov
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT	PAPER NUMBER
----------	--------------

2625

MAIL DATE	DELIVERY MODE
-----------	---------------

06/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/607,066

Applicant(s)

MAEMURA, KOHICHIROH

Examiner

Houshang Safaipour

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7 and 10 is/are rejected.
- 7) ☒ Claim(s) 3,8 and 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 10/03.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuji Makoto (JP 11-355347).

Regarding claims 1, 6 and 10 are Makato discloses a network facsimile, comprising:

a facsimile function operative to communicate with facsimiles via a public network using a facsimile transmission procedure [0001];

an electronic mail transmission function operative to transmit an electronic mail containing an image in a prescribed format to at least one transmission destination connected to a local or a wide area network [0001-0003];

an electronic mail address memory configured to store an electronic mail address of a transmission destination when the network facsimile transmits an electronic mail to the transmission destination [0010];

an electronic mail information storing device configured to store at least electronic mail information when the network facsimile receives the electronic mail information [0007];

an electronic mail scrap determination device configured to determine if an electric mail sent from any one of the transmission destinations is to be scrapped when an electric mail address or a domain assigned to the electronic mail has not been stored in the electronic mail address memory ([0008] lines 6-11); and

an electronic mail scrapping device configured to scrap an electronic mail stored in the electronic mail storing device in accordance with a determination of the electronic mail scrap determination device ([0008] lines 1-13).

Regarding claim 2, Makato discloses the network facsimile according to claim 1, further comprising a checking objective selecting device configured to select one of an electronic mail address and a domain as a checking objective checked by the electronic mail scrap determination device (check 9verifies) the address and part of the domain against the address in permission domain address storage [0007]).

Regarding claim 4, Makato discloses the network facsimile according to any one of claims 1 to 3, further comprising: a scrap information storing device configured to store scrap information when the electronic mail is to be scrapped; and a scrap information checking device configured to check contents of the scrap information [0045].

Regarding claim 5, Makato discloses a network facsimile according to any one of claims 1 to 3, further comprising: a scrap information storing device configured to store scrap information when the electronic mail is to be scrapped; and a scrap information transmitting device configured to transmit the scrap information to a recipient of the electronic mail via any one of the networks [0009].

Regarding claim 7, Makato discloses the method according to claim 6, further comprising the step of selecting one of an electronic mail address and a domain as a checking objective in accordance with an electronic mail sender before performing the step of determining [0040-0043].

Allowable Subject Matter

3. Claims 3, 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Houshang Safaipoor
Patent Examiner
May 26, 2007

A handwritten signature in black ink, appearing to read 'H. Safaipoor', is written over the printed name and date.